



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/728,487

12/04/2003

Christopher N. Kline

END920030126US1

9741

26502

7590

04/27/2006

IBM CORPORATION
IPLAW IQ0A/40-3
1701 NORTH STREET
ENDICOTT, NY 13760

EXAMINER

KIM, HONG CHONG

ART UNIT

PAPER NUMBER

2185

DATE MAILED: 04/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/728,487

Applicant(s)

KLINE, CHRISTOPHER N.

Examiner

Hong C. Kim

Art Unit

2185

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/4/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1. Claims 1-14 are presented for examination. This office action is in response to the application filed on 12/4/2003.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 12/4/03 is being considered by the examiner.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "definitions of queues", "authorizations for the queues", "a plurality of program-instance configuration files", "a configuration file for the program", and "lock on the queue definition file" must be shown or the feature(s) canceled from the claim(s). Also a flow diagram for illustrating steps in claims 1-6 and 13-14 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. Applicants are requested to update the status of the related U.S. patent application, accordingly (e.g., U.S. Patent Application Serial No. ###/###,### filed Sept. 07, 1990, now abandoned; ..., now U.S. Patent #,###,### issued Jan. 01, 1994; or This application is a continuation of Serial Number ###/###,###, filed on December 01, 1990, now abandoned; ...etc.). Also applicants are requested to include the status of the related U.S. applications or patents in the CROSS-REFERENCE TO RELATED APPLICATIONS section and in any other corresponding area in the specification, if any.

4. This application is in condition for allowance except for the following formal matters:

In the specification:

The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed. The title should be more specific to differentiate the invention from similar inventions in the patent literature.

"definitions of queues", "authorizations for the queues", "program-instance configuration files", "a program configuration file ", and "lock" aspects of the invention should be mentioned in the title so that the title is more descriptive.

In the claims:

In claim 1, in line 3 (page 12), "--contains instructions executable by a computer--" should be added after "medium" to avoid possible 101 rejection. In line 4, it appears that "the program instances" lacks antecedent basis. It appears that "the program instances" should be changed to "--said plurality of user instances of said program--" for clarity. In line 7, it appears that "said plurality of program instances" lacks antecedent basis. It appears that "said plurality of program instances" should be changed to "--said plurality of user instances of said program--" for clarity.

In claim 2, in line 2, it appears that "program instances" lacks antecedent basis. It appears that "program instances" should be changed to "--said plurality of user instances of said program--" for clarity.

In claim 3, in line 3, it appears that "substantial" should be deleted for clarity.

In claim 7, in line 3 (page 13), it appears that "the program instances" lacks antecedent basis. It appears that "the program instances" should be changed to --said plurality of user instances of said program-- for clarity. In lines 5-6, it appears that "said plurality of program instances" lacks antecedent basis. It appears that "said plurality of program instances" should be changed to --said plurality of user instances of said program-- for clarity.

In claim 9, in line 2, it appears that "program instances" lacks antecedent basis. It appears that "program instances" should be changed to --said plurality of user instances of said program-- for clarity.

In claim 10, in line 2, it appears that "substantial" should be deleted for clarity.

In claim 13, in line 3 (page 7), it appears that "said user program" lacks antecedent basis. In lines 9-10, it appears that "said user program" lacks antecedent basis. It appears that "said user program" should be changed to --said user program instance -- for clarity.

Appropriate correction is required.

5. Claims 1-14 are allowable over the prior art of record.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached PTO-892

7. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS
SET TO EXPIRE 2 (TWO) MONTHS FROM THE DATE OF THIS LETTER.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong C Kim whose telephone number is (571) 272-4181. The examiner can normally be reached on M-F 9:00 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt M Kim can be reached on (571) 272-4182. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 whose telephone number is (571) 272-2100.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

10. **Any response to this action should be mailed to:**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to TC-2100:
(571)-273-8300

Hand-delivered responses should be brought to the Customer Service Window (Randolph Building, 401 Dulany Street, Alexandria, VA 22314).

HK
Primary Patent Examiner
April 25, 2006

A handwritten signature in black ink, consisting of a stylized 'H' followed by a cursive flourish.